

UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF FLORIDA

CASE NO.: 02-23090-CIV-MARTINEZ/TORRES

FELIX MEDINA, et al.,

Plaintiffs,

v.

3C CONSTRUCTION CORPORATION and  
HUMBERTO CASARIEGO,

Defendants

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**OMNIBUS ORDER ON VARIOUS PENDING MOTIONS RELATING TO  
DEFENDANTS' MOTION FOR RENEWED JUDGMENT AS A MATTER OF LAW**

THIS CAUSE came before the Court upon various pending motions relating to Defendants' Post Verdict Motion for Judgment as a Matter of Law. The Court has carefully considered the motions and is otherwise duly advised. A number of issues have arisen that have little relation to the merits of the pending motion. The parties essentially bicker about whether Defendants' Memorandum exceeded the allowed page limits and whether Plaintiff was entitled to file supplemental authority and an Amended Response in Opposition. Defendants have also requested time to file a Reply Memorandum in support of the pending motion for judgment as a matter of law. This Court further notes that the docket in this case, with 898 docket entries to date, has become unnecessarily complex. This Court finds that the following rulings facilitate the interest of justice and a more thorough consideration of the parties' arguments in order to reach a just resolution of the pending Post Verdict Motion for Judgment as a Matter of Law. Lastly, this Court notes that the parties have filed a number of cases to supplement the record. This Court notes that this supplemental authority will be duly considered. Accordingly, it is

hereby:

**ORDERED AND ADJUDGED** that

1. Plaintiffs' Motion to Strike Defendants' Rule 50(B) Motion (**D.E. No. 845-1**) is **DENIED**.
2. Plaintiffs' Motion for Extension of Time (**D.E. No. 845-2**) is **DENIED as moot**.
3. Defendants' Motion for Leave of Court to Permit their Rule 50(B) Motion as Filed (**D.E. 847**) is **GRANTED**.
4. Plaintiffs' Motion for Leave to File an Amended Response (**D.E. No. 880**) is **GRANTED**. The Amended Response, with a certificate of service dated May 31, 2006, will be considered by the Court as submitted, and shall supercede Plaintiffs' original Response.
5. Defendants' Motion to Strike Plaintiffs' Response and Unopposed Motion for Enlargement of Time (**D.E. No. 883**) is **GRANTED in part and DENIED in part**. The Motion to Strike is **DENIED**. The Motion for Extension of Time is **GRANTED in part**.
6. Defendants May file a Reply Memorandum that **only addresses arguments made in Defendants' Amended Response** on or before **Thursday, December 21, 2006 at 4:30 p.m.**

DONE AND ORDERED in Chambers at Miami, Florida, this 15th day of December, 2006.

  
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JOSE E. MARTINEZ  
UNITED STATES DISTRICT JUDGE

Copies provided to:  
All Counsel of Record